

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: DISCONNECTION AND RECONNECTION	DOCKET NO. RMU-01-2
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ORDER COMMENCING RULE MAKING

(Issued March 26, 2001)

Pursuant to the authority of Iowa Code §§ 17A.4, 474.5, 476.1, and 476.20 (2001), the Utilities Board proposes to adopt the amendments attached hereto and incorporated by reference. These rules amend and clarify the language contained in 199 IAC 19.4(15)"h"(5) and 20.4(15)"h"(6) with respect to when reconnection of an electric or gas customer must take place following disconnection of service. The reasons for proposing these amendments are set forth in the attached notice of intended action.

IT IS THEREFORE ORDERED:

1. A rule making, identified as Docket No. RMU-01-2, is commenced for purposes of receiving comments upon the proposed rules attached to this order.

2. The Acting Executive Secretary is directed to submit for publication in the Iowa Administrative Bulletin a notice in the form attached to and incorporated by reference in this order.

UTILITIES BOARD

/s/ Allan T. Thoms

/s/ Susan J. Frye

ATTEST:

/s/ Judi K. Cooper
Acting Executive Secretary

/s/ Diane Munns

Dated at Des Moines, Iowa, this 26th day of March, 2001.

UTILITIES DIVISION [199]

NOTICE OF INTENDED ACTION

Pursuant to Iowa Code sections 17A.4, 474.5, 476.1, and 476.20 (2001), the Utilities Board (Board) gives notice that on March 26, 2001, the Board issued an order in Docket No. RMU-01-2, In re: Disconnection and Reconnection. The Board is proposing to amend current 199 IAC 19.4(15)"h"(5) and 20.4(15)"h"(6) to make them consistent with the Board's standard customer notice forms contained in 199 IAC 19.4(15)"h"(3) and 20.4(15)"h"(3) and the disconnection portion of the customer rights and remedies contained in 199 IAC 19.4(15)"h"(3) and 20.4(15)"h"(3). These amendments were inadvertently omitted in the Board's "Order Adopting Rules" issued on December 28, 2000, in Docket No. RMU-00-5.

The proposed rules are consistent with the amendments adopted in Docket No. RMU-00-5. Those amendments were adopted after receipt of numerous comments and an oral presentation.

Pursuant to Iowa Code sections 17A.4(1)"a" and "b," any interested person may file a written statement of position pertaining to the proposed rules. The statement must be filed on or before May 8, 2001, by filing an original and ten copies in a form substantially complying with 199 IAC 2.2(2). All written statements should clearly state the author's name and address and should make specific reference to this docket. All communications should be directed to the Acting Executive Secretary, Utilities Board, 350 Maple Street, Des Moines, Iowa 50319-0069.

If requested pursuant to Iowa Code section 17A.4(1)"b" or on its own motion after reviewing the statements, the Board will determine whether an opportunity for oral presentation should be provided. An oral presentation will not be scheduled at this time.

The Board does not find it necessary to propose a separate waiver provision in this rule making. The Board's general waiver provision in rule 199 IAC 1.3 is applicable to these rules.

These rules are intended to implement Iowa Code sections 476.1 and 476.20.

The following amendments are proposed.

Item 1. Amend **19.4(15)"h"(5)**, second paragraph entitled "Special Circumstances," as follows:

Special Circumstances. The disconnection of a residential customer may not take place only between the hours of 6 a.m. and 2 p.m. on a weekday and not on weekends or holidays. ~~on a weekend, a holiday or after 2 p.m., unless the utility is prepared to reconnect the same day, and~~ If a disconnected customer makes payment or other arrangements during normal business hours, or by 7 p.m. for utilities permitting such payment or other arrangements after normal business hours, all reasonable efforts shall be made to reconnect the customer that day. If a disconnected customer makes payment or other arrangements after 7 p.m., all reasonable efforts shall be made to reconnect the customer not later than 11 a.m. the next day. A disconnection may not take place where gas is used as the only source of space heating or to control or operate the only space heating equipment at the residence on any day when the National Weather Service forecast for the

following 24 hours covering the area in which the residence is located includes a forecast that the temperature will go below 20 degrees Fahrenheit. In any case where the utility has posted a disconnect notice in compliance with 19.4(15)"h"(4) but is precluded from disconnecting service because of a National Weather Service forecast, the utility may immediately proceed with appropriate disconnection procedures, without further notice, when the temperature in the area where the residence is located rises to above 20 degrees, unless the customer has paid in full the past due amount or is entitled to postponement of disconnection under some other provision of this rule.

Item 2. Amend **20.4(15)"h"(6)**, second paragraph entitled "Special Circumstances," as follows:

Special Circumstances. The disconnection of a residential customer may not take place only between the hours of 6 a.m. and 2 p.m. on a weekday and not on weekends or holidays. ~~on a weekend, a holiday or after 2 p.m., unless the utility is prepared to reconnect the same day, and~~ If a disconnected customer makes payment or other arrangements during normal business hours, or by 7 p.m. for utilities permitting such payment or other arrangements after normal business hours, all reasonable efforts shall be made to reconnect the customer that day. If a disconnected customer makes payment or other arrangements after 7 p.m., all reasonable efforts shall be made to reconnect the customer not later than 11 a.m. the next day. A disconnection may not take place where gas is used as the only source of space heating or to control or operate the only space heating equipment at the residence on any day when the National Weather Service forecast for the

following 24 hours covering the area in which the residence is located includes a forecast that the temperature will go below 20 degrees Fahrenheit. In any case where the utility has posted a disconnect notice in compliance with 20.4(15)"h"(3) but is precluded from disconnecting service because of a National Weather Service forecast, the utility may immediately proceed with appropriate disconnection procedures, without further notice, when the temperature in the area where the residence is located rises to above 20 degrees, unless the customer has paid in full the past due amount or is entitled to postponement of disconnection under some other provision of this rule.

This rule is intended to implement Iowa Code sections 476.1 and 476.20.

March 26, 2001

/s/ Allan T. Thoms

Allan T. Thoms
Chairperson